IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 22312 of 2004(F)

PETITIONER:

M.A.SANKARANKUTTY, S/O.LATE ARJUNAN,
AGED 59 YEARS, RESIDING AT MURIKKATHARA HOUSE,
NAYARAMBALAM P.O. ERNAKULAM DISTRICT,
(RETD) ASSISTANT EXECUTIVE ENGINEER OF THE
PUBLIC WORKS DEPARTMENT.

BY ADV. SRI.A.J.VARGHESE,
SRI.JOSE THENGATHARA.

RESPONDENTS:

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1. **THE CHIEF ENGINEER, IRRIGATION &**
   ADMINISTRATION, THIRUVANANTHAPURAM.

2. **ACCOUNTANT GENERAL, OFFICE OF THE INDIAN AUDIT**
   AND ACCOUNTS DEPARTMENT (A&E) M.G.ROAD,
   THIRUVANANTHAPURAM, KERALA - 695 039.

BY ADV. SRI.FRANCIS JOSEPH KURISINKAL, ADDL.CGSC,
GOVT. PLEADER SRI. K.V. MANOJ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.22312/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: PENSIONERY BENEFITS ADMITTED BY THE R.2. AS PER LETTER NO. P-04/PENA/8/0B/01-02 DTD. 18/10/2001.

EXT.P.2: COPY OF THE FORM NO. 2 OF THE PENSION BOOK OF THE PETITIONER.

EXT.P.3: COPY OF THE REPRESENTATION DTD. 16/07/2001 SUBMITTED BY THE PETITIONER TO THE R.1.

EXT.P.4: COPY OF THE REPRESENTATION DTD. 17/02/2004 SUBMITTED BY THE PETITIONER BEFORE THE R.1.

EXT.P.5: COPY OF THE LETTER NO. P4/PEN/A/5/B/01-02 DTD. 23/02/2004 ISSUED BY THE R.2.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.22312 of 2004

Dated 6th July, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus or any other appropriate writ order or direction directing the respondents to reckon the prior services of the petitioner as 3rd Grade overseer at K.P.I.P. Division No.V, Kanhirapuzha and as 1st Grade Surveyor in Town Planning Office, Palakkad which comes for a total period of 3 years and as a Trainee for 1 year consequent on appointment as Assistant Engineer in the PWD as qualifying service for counting pension and other pensionary benefits with reference to service book and other connected records of the petitioner and to disburse the monetary benefits to the petitioner within a time bound manner."

It is seen from Ext.P5 communication from the Accountant General that the petitioner has been relegated to contact the Chief Engineer. In case the petitioner has still any grievance regarding the stand taken by the Accountant General, he may approach the Government, in which case, the matter will be duly examined by the Government with notice to the petitioner and appropriate action in accordance with law will be taken, within another three months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 6th July, 2007.